

REMARKS

Claims 1-4 and newly presented claims 5-22 are pending. Claims 1 and 4 have been amended. The specification has been amended to expressly recite that the applied voltage differential applied to the capillaries was +210 V/cm, which is the ratio of the voltage to the capillary length as originally disclosed. Applicants appreciate the Examiner's statement that claim 3 is allowable.

As a preliminary matter, Applicants note that the correspondence address for this application has changed. Please send future correspondence to:

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1425 K Street, N.W.
11th Floor
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Phone: 202-783-5070

The new attorney docket no. is 16969-020001. An executed Revocation and Power of Attorney will be submitted in due course.

Turning to Applicants' response to the pending Office Action, the Abstract of the disclosure has been amended to correct an informality.

Claim 4 was rejected under 35 U.S.C. § 102(b) as being anticipated by JP 8-114575 ("JP '575"). Claim 4 was also rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,459,272 to Novotny ("Novotny").

Claim 4, as presented herein, recites:

[a] method for conducting capillary zone electrophoresis in a capillary having first and second ends, the method comprising:
providing a sodium dodecylsulfate (SDS)-
containing buffer for receiving the first end of the capillary;
applying a first voltage differential across the first

and second ends to cause a first sample in said capillary to migrate in a medium suitable for capillary zone electrophoresis;

injecting said second sample into said first end of said capillary without rinsing said capillary with NaOH intermediate the steps of applying a first voltage and injecting a second sample; and

applying a second voltage differential across the first and second ends to cause the second sample to migrate in the medium suitable for capillary zone electrophoresis.

Neither Novotny nor the reference JP '575 are understood to disclose or suggest the step of injecting a second sample into a first end of a capillary without rinsing the capillary with NaOH intermediate the steps of applying a first voltage and injecting the second sample.

Claims 1 and 2 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hu et al., J. Chrom. A, 717, (1995), pgs. 33-39 ("Hu"). Claims 1 and 2 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Kendler et al., J. Chrom., 545, (1991), pgs. 397-402 ("Kendler").

Independent claim 1, as presented herein, recites:

[a] method for conducting capillary zone electrophoresis in a capillary, the method comprising:

adding sodium dodecylsulfate (SDS) to a first sample to be electrophoresced;

injecting the first sample into a first end of said capillary;

applying a first voltage differential across said first end of said capillary and a second end of said capillary to cause said first sample to migrate in a medium suitable for capillary zone

electrophoresis;
adding SDS to a second sample to be
electrophoresced;
injecting said second sample into said first end of
said capillary without rinsing said capillary with NaOH
intermediate the steps of applying a first voltage and injecting a
second sample; and
applying a second voltage differential across said
first and second ends of said capillary to cause said second sample
to migrate in said medium suitable for capillary zone
electrophoresis.

Neither Hu nor Kendler discloses or suggests the invention of claim 1, as amended. For example, neither reference discloses or suggests a method comprising “injecting said second sample into said first end of said capillary without rinsing said capillary with NaOH intermediate the steps of applying a first voltage and injecting a second sample.” Moreover, Hu’s disclosure that capillaries were “conditioned between runs with 0.1 M NaOH and water” motivates away from the invention of claim 1.¹ Likewise, Kendler’s disclosure of a wash step comprising “rinsing with sodium hydroxide (0.1 mol/l)” motivates away from the invention of claim 1.²

In view of the foregoing amendments and remarks, it is believed that the rejections in the Office Action have been overcome. Insofar as the foregoing comments with respect to the independent claims are equally applicable to their respective dependent claims, the rejections of the dependent claims are also believed to have been overcome for at least this reason.

New independent claim 5 refers to sodium dodecylsulfate (SDS). New independent claim 11 refers to a lubricating detergent. Claims 5 and 11 each recite the step of injecting said second sample into said first end of said capillary without rinsing said capillary with NaOH intermediate the steps of applying a first voltage and injecting a second sample.

¹ Hu, pg. 35.

² Kendler, pg. 398.

New independent claim 16 recites subjecting a second sample to electrophoresis within the capillary and in the presence of SDS without rinsing the capillary with NaOH intermediate the steps of subjecting the first sample to electrophoresis and subjecting the second sample to electrophoresis.

New independent claim 20 recites subjecting a second sample to electrophoresis within the capillary and in the presence of the lubricating detergent without rinsing the capillary with NaOH intermediate the steps of subjecting the first sample to electrophoresis and subjecting the second sample to electrophoresis.

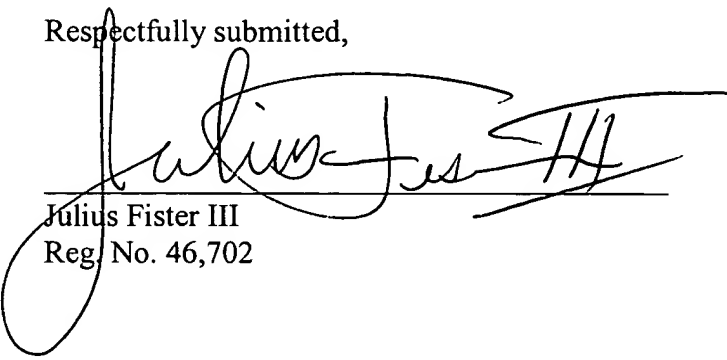
Applicants respectfully submit that the prior art cited in this case taken individually or in combination neither discloses nor suggests the present invention. Thus, the claims as presented and amended herein are submitted to be in condition for allowance.

If the Examiner wishes to discuss this case, then Applicants respectfully request a personal or telephonic interview to discuss any remaining issues and expedite the allowance of this application.

Enclosed is a \$190 check for excess claim fees and a \$210 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: February 25, 2001


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